

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FOREST VIEW ACRES WATER DISTRICT  
AND THE BOARD OF DIRECTORS OF THE  
WATER ACTIVITY ENTERPRISE  
HELD  
SEPTEMBER 14, 2005

A special meeting of the Board of Directors of the Forest View Acres Water District and the Board of Directors of the Water Activity Enterprise (referred to hereafter as "Board") was held on Wednesday, the 14th day of September, 2005, at 5:30 P.M., at Grace Best Elementary School, 66 Jefferson Street, Monument, Colorado. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

John Anderson, President  
Brian Cross  
Barbara Reed-Polatty

#### Also In Attendance Were:

Deborah D. McCoy; Special District Management Services, Inc.

Dan LaFontaine; Operations Manager

Anne Beavis; bookkeeper

See attached list for residents in attendance

### ADMINISTRATIVE MATTERS

Agenda: Ms. McCoy reviewed the proposed agenda for the District's Special Board Meeting. Following discussion, upon motion duly made by Director Reed-Polatty, seconded by Director Cross, and upon vote, unanimously carried, the agenda was approved, as amended.

Appointment of Officers: Upon motion duly made by Director Cross, seconded by Director Reed-Polatty and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Barbara Reed-Polatty
Secretary	Kammy K. Tinney
Treasurer	Brian Cross
Assistant Secretary	John Anderson

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Minutes: The Board considered the Minutes of the August 10, 2005 regular meeting. Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Minutes of the August 10, 2005 meeting were approved, as amended.

The Board then considered the Minutes of the August 24, 2005 emergency meeting. Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Minutes of the August 24, 2005 meeting were approved.

The Board then considered the Minutes of the September 11, 2005 special meeting. Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Minutes of the September 11, 2005 meeting were approved.

Special District Management Services, Inc.: The Board considered ratifying the approval of the contract for management services for the District pursuant to an agreement with Special District Management Services, Inc. Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Board authorized execution of the Agreement with Special District Management Services, Inc., subject to final review by counsel.

Appointment of Directors to Fill Vacancies: The Board reviewed letters of interest submitted by Eckehart "Eck" Zimmerman and Kajetan "Ketch" Nowacki. Mr. Nowacki addressed the Board and discussed his background in accounting. He has been a resident of the District for 8-10 years. He travels for work and is registered to vote in Colorado. He expressed his interest in being a part of the solution.

Mr. Zimmerman addressed the Board. He has been a resident of the District for six years and has participated on various clean-up committees. He travels and works out of his home.

Both candidates agree on the need for professional management of the District.

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Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Board appointed Eckehart Zimmermann to fill the vacancy created by the resignation of Tom Guenther.

The Board would like to allow additional time for property owners to submit letters of interest to fill the remaining vacancy. The Board will consider appointment at the October meeting.

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### FINANCIAL MATTERS

Claims: Director Cross distributed a claims list and reviewed the status of funds available.

The Board considered approval of payment of claims through the period ending September 14, 2005, totaling \$28,788.80. Following discussion, upon motion duly made by Director Reed-Polatty, seconded by Director Anderson and, upon vote, unanimously carried, the claims through the period ending September 14, 2005 were approved.

Financial Report: Director Cross distributed and reviewed the Financial Report as of September 14, 2005 and the Billing Report for water used in July 2005.

2006 Budget: Following discussion, upon motion duly made by Director Reed-polatty, seconded by Director Anderson and, upon vote, unanimously carried, the Board appointed the District Manager to prepare the 2006 budget.

2002, 2003 and 2004 Applications for Exemption from Audit: The applications have not been completed. The Board directed Ms. McCoy to coordinate completion and filing with the State Auditor.

2005 Audit: The Board requested that staff obtain three proposals for the 2005 Audit.

Operating account: Following discussion, upon motion duly made by Director Reed-Polatty, seconded by Director Anderson and, upon vote, unanimously carried, the Board authorized all Board members to be signers on the account with US Bank and directed that two signatures be required for all checks.

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### LEGAL MATTERS

Inclusion of property owned by Leroy Schmidt: The Board deferred discussion of this matter.

Water tap permit for 18680 Cloven Hoof Drive: Mr. LaFontaine has reviewed the site. The main line to serve the property is located in the street. Mr. LaFontaine noted that there is a sufficient water supply to serve the property. It was noted that all of the fees have been paid.

Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Board approved the application.

Billing matters: EXECUTIVE SESSION: Pursuant to §24-6-402(4), C.R.S., Director Anderson moved that the special public meeting of the Board adjourn and, upon an affirmative vote of at least two-thirds of the quorum present, that the Board reconvene in Executive Session for the sole purpose of discussing matters that federal or state law or rules and regulations require be kept confidential as authorized by § 24-6-402(4)(c), C.R.S.

The Board reconvened in regular session. No action was taken.

Resolution establishing regular meeting dates, time and location and designating locations for posting of 72-hour and 24-hour notices: Following discussion, upon motion duly made by Director Anderson, seconded by Director Cross and, upon vote, unanimously carried, the Board adopted the Resolution establishing meeting dates, time and location and designating locations for posting of 72-hour and 24-hour notices, a copy of which is attached hereto and incorporated herein by this reference.

### WATER OPERATOR'S REPORT

Mr. LaFontaine distributed and reviewed the Operational Report for August 2005. The Board discussed fire flows and the distribution system for the fire hydrants.

Mr. LaFontaine reviewed the failure at the treatment plant. He noted that the parts needed for repairs were received today. He will present proposals for repair or replacement of the Variable Frequency Drive (in the range of \$3,000-\$5,000) at the next meeting. The Board

directed staff to file a claim with the insurance company.

COMMUNITY  
BUSINESS

There were questions regarding the status of the criminal charges.


ADJOURNMENT


There being no further business to come before the Board at this time, upon motion duly made and seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

BY Deborah D. Mc  
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL SEPTEMBER 14, 2005  
MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE  
BOARD OF DIRECTORS SIGNING BELOW:

  
John Anderson

  
Brian Cross

Barbara Reed-Polatty 10-04-65  
Barbara Reed-Polatty

Eckehart Zimmermann

09-14-05

Attendance

Gilly Spigler  
Denny Nevin

Tom Thiene

Eckehart Zimmermann

Ketch Nowacki

John Heiser (OCN)

Ed Taylor

Ann Bevis

Jeff Walker

Fred Malmstrom

2004-09-01  
**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
FOREST VIEW ACRES WATER DISTRICT  
ESTABLISHING REGULAR MEETING DATES,  
TIME AND LOCATION, AND DESIGNATING LOCATIONS  
FOR POSTING OF 72-HOUR AND 24-HOUR NOTICES**

WHEREAS, pursuant to Colo. Rev. Stat. §32-1-903, special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings; and

WHEREAS, pursuant to Colo. Rev. Stat. §24-6-402 (2)(c), special districts are required to designate annually at the District Board's first regular meeting of each calendar year, the place at which notice will be posted at least 24 hours prior to each meeting; and

WHEREAS, pursuant to Colo. Rev. Stat. §32-1-903, special districts are required to post notices of regular and special meetings at three public places within the district and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FOREST VIEW ACRES WATER DISTRICT AS FOLLOWS:

1. The regular meeting schedule of the Forest View Acres Water District shall be as follows:

The first Wednesday of each month at 5:30 p.m., at Grace Best Elementary School,  
66 Jefferson Street, Monument, Colorado

2. Notices of Meetings of the District Board required pursuant to Colo. Rev. Stat. §24-6-402 (2)(c), shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

At Nevins Park at the corner of Pike View Way and Sunburst Drive

3. Notices of regular and special meetings required to be posted at three public places within the District and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting shall be made pursuant to Colo. Rev. Stat. §32-1-903, at the following locations:

At the Shilo Pines entrance at Shiloh Pines Drive and Lake Meadow Drive  
On the bus shelter at Pixie Park Road and Sandstone Drive

4. Barbara Reed-Polatty is hereby appointed to post the above-referenced notices.

APPROVED AND ADOPTED THIS 14TH DAY OF SEPTEMBER, 2005.

FOREST VIEW ACRES WATER DISTRICT

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary